

REMARKS

Claims 14-35 remain in the present application. Claims 36-39 are cancelled herein. Claims 32-33 and 35 are amended herein. Applicant respectfully submits that no new matter has been added as a result of the claim amendments. Applicant respectfully requests further examination and reconsideration of the rejections based on the arguments set forth below.

Examiner Interview Summary

A telephonic Examiner Interview was conducted on September 17, 2009 between Examiner Joanne Silbermann and Applicant's representative Bryan M. Failing. It was agreed during the Examiner Interview on September 17, 2009 that the claim amendments made herein would be sufficient to overcome the 35 U.S.C. §112 rejections. It was also agreed during the Examiner Interview on September 17, 2009 that Claims 14-35, as amended herein, are allowable. No agreement was reached with regard to Claims 36-39. Applicant thanks the Examiner for conducting the interview.

Allowable Subject Matter

Applicant would like to thank the Examiner for indicating that Claims 18, 21 and 23 would be allowable if rewritten in independent form.

Claim Rejections – 35 U.S.C. §112

Claims 32-33 and 35 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly

claim the subject matter which Applicant regards as the invention. It was agreed during the Examiner Interview on September 17, 2009 that the claim amendments made herein would be sufficient to overcome the 35 U.S.C. §112 rejections. Accordingly, Applicant respectfully submits that Claims 32-33 and 35 overcome the 35 U.S.C. §112 rejection of record.

Claim 39 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 39 is cancelled herein, and thus, Applicant respectfully submits that a discussion of the 35 U.S.C. §112 rejection of Claim 39 is moot.

Claim Rejections – 35 U.S.C. §102

Claims 14-17, 19-20, 22, 24-31, 33-34 and 36-39 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by United States Patent Number 6,593,904 to Marz et al. (referred to herein as “Marz”). It was agreed during the Examiner Interview on September 17, 2009 that Claims 14-35, as amended herein, are allowable. Accordingly, Applicant respectfully submits that Claims 14-17, 19-20, 22, 24-31, 33-34 and 36-39 overcome U.S.C. §102(e) rejection of record, and therefore, are allowable.

CONCLUSION

Applicant respectfully submits that Claims 14-35 are in condition for allowance and Applicant earnestly solicits such action from the Examiner.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,

MURABITO, HAO & BARNES LLP

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/BMF/

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